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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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No. 08 Civ. 10922 (DAB)

In re

J. EZRA MERKIN AND BDO SEIDMAN
SECURITIES LITIGATION

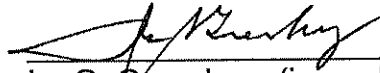
MOTION OF DEFENDANTS BDO
CAYMAN ISLANDS AND BDO
LIMITED TO DISMISS

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Defendants BDO Cayman Islands (sued as BDO Tortuga) and BDO Limited (sued as BDO Binder) move to dismiss the action as against it pursuant to Fed. R. Civ. P. 12(b)(1), (2), and (6). This motion is based on the declarations of Ira G. Greenberg, dated the 30th day of July, 2010, Glen Trenouth, dated the 23rd day of July, 2010, Andrew Bickerton, dated the 30th day of July, 2010, Graeme Halkerston, dated the 30th day of July, 2010, and Eliot Simpson, dated the 30th day of July, 2010, together with the exhibits thereto. A memorandum of law is also being submitted in support of the motion.

This motion will come on to be heard before Hon. Deborah A. Batts, United States District Judge, at the United States Courthouse, 500 Pearl Street, New York, NY 10007, on a date and at a time that the Court may designate.

Dated: New York, NY
July 30, 2010



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